

Rep. Nadler Testifies at City Council Hearing on 9/11 Health

Tuesday, 05 February 2008

WASHINGTON, D.C. — Congressman Jerrold Nadler (NY-08) today testified at a New York City Council hearing on Res. 1058, a resolution calling upon the House of Representatives to pass, and the United States Senate to introduce and pass, H.R. 3543, the 9/11 Health and Compensation Act. Rep. Nadler is one of the principal authors of H.R. 3543.

“Six years after 9/11, and there is still no comprehensive mechanism to ensure proper screening, monitoring and medical treatment, and provide compensation for those individuals affected by the attacks,” said Rep. Nadler. “Congressional action is needed because the Bush Administration continues to fail to act. I urge the New York City Council to voice its support for our bill — a bill that would help first responders, area residents, workers, and students and the thousands of people who came from across the country to assist.”

Rep. Nadler’s testimony for the hearing, as prepared, follows:

“Good morning. I would like to take this opportunity to thank the Chairman of the Committee on Lower Manhattan Redevelopment, Alan Gerson, and the Chairman of the Committee on Civil Service and Labor, Joseph P. Addabbo, Jr., for convening this hearing and inviting my colleagues and me to testify before you today. I also want to extend my thanks to the other members of the Committees and members of the Lower Manhattan community who are here with us today.

“In representing Lower Manhattan in Congress, I have struggled these last six and a half years to elicit an appropriate response from the city, state and federal government in the aftermath of 9/11. Together with the downtown community and its elected officials, we have insisted that New Yorkers be told the truth about post 9/11 air quality, demanded that the government undertake a proper testing and cleanup program of apartments and workplaces still potentially contaminated with WTC toxins, and we have worked endlessly to ensure that the buildings most contaminated by the World Trade Center collapse are handled in such a way that a second environmental catastrophe was not created by their cleaning or demolition. And we have vigorously advocated that the living victims of the 9/11 environmental crisis be given proper care and compensation. This has been no easy task.

“Despite the fact that we have shown overwhelmingly that the federal government bears considerable responsibility for thousands of people becoming sick and disabled from 9/11 due to its own negligence, and despite the fact that the evidence has long been overwhelming that people are in fact sick, our work to get the those responsible to foot the bill for health care and compensation has been particularly painstaking. I can no longer count the number of press conferences, hearings, letter and rallies that Carolyn and I have organized. There have been thousands of news reports recounting the heartbreaking stories of our heroes detailing how their bodies have been destroyed by 9/11. And the research, as you well know, is overwhelming. Tens of thousands of first responders and area residents, students and workers have become sick, according to peer-reviewed studies by Mt. Sinai, the FDNY, and Bellevue, as have been well-documented in a comprehensive report released by the City in 2007.

“But tragically, due to Republican control of the Administration and Congress, until this year, all of this work and mountain of evidence has produced little in the way of appropriate governmental response. Thus far, only \$75 million has actually been disbursed to provide care to those who are ill. And this President, who stood at Ground Zero and told our heroes that he would never forget them, only last year acknowledged that there was any problem at all. Mind you, this was six years after the attacks. As if to spit in the eye of those same heroes, he has only designated \$25 million in his budget for the last two years, even though his own National Institute of Occupational Safety and Health (NIOSH) conservatively estimated that over \$256 million will be needed every year to respond to this growing problem. And, his Administration had steadfastly refused to provide any monies for treatment of the non-first responder population. The costs associated with treating affected area residents, workers and students have thus far fallen completely on the City of New York. And, very recently, this Administration’s continuing betrayal of our heroes was demonstrated by its shutting down of the Department of Health and Human Services’ Request for Proposals for the World Trade Center Business Process Center. Just when it appeared as they were finally poised to take the first step toward establishing a coordinated treatment mechanism for rescue and recovery workers who live outside the New York metropolitan area, this Administration that constantly conjures the memory of 9/11 for political purposes, inexplicably acted to kill the program.

“Fortunately, with a bit of luck, and a ton of grit, this year, the New York Congressional Delegation was finally successful in getting a bit more appropriated than we have been able to in the past -- we managed to win approval of an additional \$108 million. And finally, for the first time, federal money will be allocated to provide care not only for first responders, but for area residents, workers and school children who heard the same EPA lies as the first-responders, and who are to this day, in harms way due to EPA negligence and misdeeds. This money brings the total funding for the year to respond to the mounting health needs post 9/11 to \$158 million. But it is not nearly enough and this money remains subject to the tremendous uncertainty of the annual appropriations process. And the small, existing program inside of NIOSH is under threat every day.

“The Federal government, by declaring that the ‘air was safe to breathe,’ and by failing to enforce stringent workplace safety laws on the pile, is clearly culpable for recklessly allowing tens of thousands of people to be unnecessarily exposed to dangerous environmental toxins in the immediate wake of 9/11, and it continues to recklessly endanger lives by its failure, to this day, to clean indoor spaces downtown. As such, it has an absolute duty and moral obligation to pay its debt to the living victims of 9/11 by providing health care and compensation for those affected. The Federal government must assume the responsibility of proper screening, monitoring and medical treatment for all those sickened by WTC toxins by increasing Federal funding to key programs and providing a comprehensive solution to address healthcare and compensation. We must not allow the heroes of 9/11 to struggle to pay health care costs because they can no longer work and no longer have health insurance, or because they have had their worker's compensation claims controverted, or their Captive Insurance Fund claims rejected. And the Federal government must ensure that all affected populations -- be they responders, or area residents, workers, or students have access to benefits. Finally, this care and compensation must not be subject to the whims of politics in the yearly appropriations process -- our heroes must have a right to what is due to them.

“This is why Congresswoman Maloney and I, along with Congressman Fossella have introduced H.R. 3543, the Maloney-Nadler-Fossella James Zadroga 9/11 Health and Compensation Act of 2007.

“H.R. 3543 would ensure that everyone exposed to the toxins of Ground Zero has a right to be medically monitored and that anyone who is sick as a result is entitled to treatment and compensation, no matter how you were affected or where you may live. H.R. 3543 builds on the best ideas brought to Congress over the past six years, and on the infrastructure already in place that is providing critical treatment and monitoring. This legislation would expand the universe of those entitled to care to the entire exposed community, including, residents, area workers and students and to the thousands of people who came from across the country to respond to the 9/11 attacks. Whether you are a first responder who toiled without proper protection; or an area resident, worker or student who was caught in the plume or subject to ongoing indoor contamination; if you were harmed by 9/11, you would be eligible. You would be entitled to care.

“Building on the expertise of the Centers of Excellence (currently at the FDNY, Mt. Sinai Hospital, Bellevue Hospital, as well as at Queens College, SUNY Stony Brook, and the University of Medicine and Dentistry of New Jersey), which are currently providing superior care to thousands in the local New York Area, the bill would greatly expand access to the highest-quality monitoring and treatment to everyone affected. The bill would also require the federal government to collect data about and research the extent and severity of WTC-related illnesses. This is a particularly critical provision as there is still so much we have to learn about these illnesses and how they may have affected different exposure populations. And finally, this legislation would provide compensation for economic damages and losses by reopening the 9/11 Victim Compensation Fund. And again, with passage of this bill, we would no longer need to rely on a quickly evaporating well of sympathy for 9/11 in Washington. This bill provides a right to these benefits that no indifferent government could take it away without a hell of a fight.

“This bipartisan legislation is strongly supported by the New York State AFL-CIO, numerous environmental and resident advocacy groups, as well as Speaker Pelosi, Governor Spitzer and Mayor Bloomberg. The bill has 68 cosponsors and has been referred to the House Committees on the Judiciary and on Energy and Commerce. Congresswoman Maloney and I are very hopeful that, with growing support, including that of the New York City Council, that we will see some serious movement on it this year.

“I thank you for holding this hearing and look forward to hearing the testimony of my colleagues and other witnesses today.”

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